

APPEAL

**United States District Court
District of Massachusetts (Boston)
CRIMINAL DOCKET FOR CASE #: 1:04-cr-10303-RCL All Defendants
Internal Use Only**

Case title: USA v. Scott

Date Filed: 09/29/2004

Assigned to: Judge Reginald C. Lindsay

Defendant

Rashaun Scott (1)

represented by



Clifford S. Sutter, Jr.

Law Office of C. Samuel Sutter
203 Plymouth Avenue
Building #7
Fall River, MA 02720
508-674-8633
Fax: 508-673-3766

Email: samsutter@verizon.net
TERMINATED: 06/20/2007
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Michael J. Liston

2 Park Plaza
Suite 610
Boston, MA 02116
617-426-2281
Fax: 617-426-2448
Email: m.liston@verizon.net

TERMINATED: 01/12/2005
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Frank D. Camera

Law Offices of Frank D. Camera
Bennett Building, Suite 321
56 North Main Street
Fall River, MA 02720
508-677-2878
Fax: 508-677-2876
Email: frankcamera@cox.net

ATTORNEY TO BE NOTICED

Designation: Retained

Pending Counts

18:922(g)(1) Felon in Possession of a
Firearm
(1)

Disposition

The Court orders the defendant committed to the custody of the Bureau of Prisons for a term of 235 months. Upon release, the defendant is placed on supervised release for a term of 3 years with special conditions. The Court further imposes a special assessment of \$100

Highest Offense Level (Opening)

Felony



Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Plaintiff

USA

represented by **Robert E. Richardson**
United States Attorney's Office
Suite 9200
1 Courthouse Way
Boston, MA 02210
617-748-3247
Fax: 617-748-3951
Email: robert.richardson@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/29/2004	<u>1</u>	INDICTMENT as to Rashaun Scott (1) count(s) 1. (Gawlik, Cathy) (Entered: 09/30/2004)

09/30/2004	2	Judge Reginald C. Lindsay : ORDER entered ORDER REFERRING CASE to Magistrate Judge Joyce London Alexander Reason for referral: pretrial proceedings as to Rashaun Scott (Gawlik, Cathy) (Entered: 09/30/2004)
09/30/2004		Arrest Warrant Issued as to Rashaun Scott. (Gawlik, Cathy) (Entered: 09/30/2004)
11/12/2004	3	Writ of Habeas Corpus ad Prosequendum Issued as to Rashaun Scott for 11/16/04 at 10:00 AM. (Brown, Rex) (Entered: 11/16/2004)
11/16/2004	4	CJA 23 Financial Affidavit by Rashaun Scott (Brown, Rex) (Entered: 11/30/2004)
11/16/2004	5	Judge Joyce London Alexander : ORDER entered CJA 20 as to Rashaun Scott : Appointment of Attorney Michael J. Liston for Rashaun Scott. (Brown, Rex) (Entered: 11/30/2004)
11/16/2004	6	NOTICE OF AUTOMATIC DISCLOSURE by Rashaun Scott (Brown, Rex) (Entered: 11/30/2004)
11/16/2004		Electronic Clerk's Notes for proceedings held before Judge Joyce London Alexander :Initial Appearance as to Rashaun Scott held on 11/16/2004. The Court informs the defendant of his rights and the charges. The defendant fills out a financial affidavit and requests counsel. The Court ORDERS CJA Michael Liston represent the defendant. Arraignment as to Rashaun Scott (1) Count 1 held on 11/16/2004. The Court advises the defendant of the charges and the government states the maximum penalty. The defendant pleads not guilty. The Court provides counsel with an automatic disclosure notice. The Court DETAINS the defendant pursuant to "U.S. v. King" and a detention hearing will be held if and when one becomes necessary. Initial Status Conference set for 12/21/2004 11:00 AM in Courtroom 24 before Magistrate Judge Joyce London Alexander. (Tape #Digital Recording.) (Brown, Rex) Modified on 12/13/2004 (Brown, Rex). (Entered: 11/30/2004)
11/16/2004	8	Arrest Warrant Returned Executed on 11/16/04. as to Rashaun Scott. (Stanhope, Don) (Entered: 11/30/2004)
11/18/2004	7	Judge Joyce London Alexander : ORDER entered ORDER OF DETENTION as to Rashaun Scott (Brown, Rex) (Entered: 11/30/2004)
12/17/2004	9	NOTICE OF ATTORNEY APPEARANCE: Clifford Samuel Sutter Jr. appearing for Rashaun Scott (Stanhope, Don) (Entered: 12/21/2004)
12/20/2004	10	MOTION to Continue as to Rashaun Scott . (Stanhope, Don) (Entered: 12/21/2004)
12/21/2004		Electronic Clerk's Notes for proceedings held before Judge Joyce London Alexander :Initial Status Conference as to Rashaun Scott continued on 12/21/2004. Counsel for the government provides the Court with a copy of the motion to continue <u>10</u> by counsel that was only filed this date. The

		Court continues the matter to a new date in that new counsel, Sam Sutter is not present. Initial Status Conference set for 1/5/2005 10:30 AM in Courtroom 24 before Magistrate Judge Joyce London Alexander. (Tape #Digital Recording.) (Brown, Rex) (Entered: 12/29/2004)
12/21/2004	●	Judge Joyce London Alexander : Electronic ORDER entered granting in part and denying in part <u>10</u> Motion to Continue as to Rashaun Scott (1), Denied as to December 23, 2004, at 3:00 PM. The Court hereby continues the matter to January 5, 2005, at 10:30 AM. (Brown, Rex) (Entered: 12/29/2004)
01/04/2005	● <u>11</u>	MOTION to Continue to 1/14/05 to hold Initial Conference and MOTION for Excludable Delay from 1/5/05 to 1/14/05 as to Rashaun Scott. (Brown, Rex) (Entered: 01/04/2005)
01/06/2005	●	Judge Joyce London Alexander : Electronic ORDER entered granting <u>11</u> Motion to Continue as to Rashaun Scott (1); granting <u>11</u> Motion to Exclude as to Rashaun Scott (1) (Brown, Rex) (Entered: 01/07/2005)
01/06/2005	● <u>12</u>	Judge Joyce London Alexander : ORDER entered. ORDER ON EXCLUDABLE DELAY as to Rashaun Scott Time excluded from 1/5/04 until 1/10/04. (Brown, Rex) (Entered: 01/07/2005)
01/07/2005	● <u>13</u>	MOTION to Continue to 1/27/05 at 10:00 AM to hold initial status conference, MOTION for Excludable Delay from 1/10/05 to 1/27/05 as to Rashaun Scott. (Brown, Rex) (Entered: 01/07/2005)
01/10/2005	● <u>15</u>	Letter (non-motion) regarding non-appearance as to Rashaun Scott (Brown, Rex) (Entered: 01/25/2005)
01/10/2005	●	Electronic Clerk's Notes for proceedings held before Judge Joyce London Alexander :Initial Status Conference as to Rashaun Scott held on 1/10/2005. In that defense attorney Sutter did not appear at the scheduled hearing, the Court will continue the matter. At next hearing, the Court will inquire of counsel why he should not be held in contempt for non-appearance at the scheduled date and time. If counsel fails to appear at next hearing, the Court will impose sanctions. Initial Status Conference set for 1/27/2005 10:15 AM in Courtroom 24 before Magistrate Judge Joyce London Alexander. (Tape #Digital Recording.) (Brown, Rex) (Entered: 01/25/2005)
01/10/2005	●	Judge Joyce London Alexander : Electronic ORDER entered granting <u>13</u> Motion to Continue as to Rashaun Scott (1); granting <u>13</u> Motion to Exclude as to Rashaun Scott (1) (Brown, Rex) (Entered: 01/25/2005)
01/10/2005	● <u>16</u>	Judge Joyce London Alexander : ORDER entered. ORDER ON EXCLUDABLE DELAY as to Rashaun Scott Time excluded from 1/10/05 until 1/27/05. (Brown, Rex) (Entered: 01/25/2005)
01/12/2005	● <u>14</u>	NOTICE of Withdrawal of Appearance in case as to Rashaun Scott. Attorney Michael J. Liston terminated. (Liston, Michael) (Entered: 01/12/2005)

01/27/2005	●	NOTICE OF RESCHEDULING as to Rashaun Scott Initial Status Conference set for 2/1/2005 03:15 PM in Courtroom 24 before Magistrate Judge Joyce London Alexander. (Brown, Rex) (Entered: 01/28/2005)
02/01/2005	●	Electronic Clerk's Notes for proceedings held before Judge Joyce London Alexander :Initial Status Conference as to Rashaun Scott held on 2/1/2005. Order to issue. Detention Hearing set for 3/3/2005 03:00 PM in Courtroom 24 before Magistrate Judge Joyce London Alexander. Final Status Conference set for 3/16/2005 03:00 PM in Courtroom 24 before Magistrate Judge Joyce London Alexander. (Tape #Digital Recording.) (Brown, Rex) (Entered: 02/10/2005)
02/10/2005	17	Judge Joyce London Alexander : ORDER entered. ORDER ON EXCLUDABLE DELAY as to Rashaun Scott Time excluded from 12/20/04 until 1/5/05. (Brown, Rex) (Entered: 02/10/2005)
02/10/2005	18	Judge Joyce London Alexander : ORDER entered. REPORT AND ORDER on Initial Status Conference as to Rashaun Scott. DISPOSITIVE Motions due by 3/16/2005. FINAL Status Report due by 3/11/2005. FINAL Status Conference set for 3/16/2005 03:00 PM in Courtroom 24 before Magistrate Judge Joyce London Alexander. (Brown, Rex) (Entered: 02/10/2005)
02/10/2005	●	Notice of correction to docket made by Court staff. Correction: Clerk's note dated 2/10/05 corrected because: clerk's note docketed to this case in error as to Rashaun Scott (Brown, Rex) (Entered: 02/10/2005)
03/03/2005	●	Electronic Clerk's Notes for proceedings held before Judge Joyce London Alexander :Detention Hearing as to Rashaun Scott held on 3/3/2005. The government and defense present evidence. The government and defense rest. The government and defense offer oral argument. The Court will provide an opportunity for pretrial to interview the defendant and for the defense to make additional submission to the Court regarding release. The court ORDERS the defendant DETAINED pursuant to 18 U.S.C. 3142(e). Order to issue. (Tape #Digital Recording.) (Brown, Rex) (Entered: 03/03/2005)
03/16/2005	19	ASSENTED-TO MOTION to Continue to 5/2/05 to hold final status conference as to Rashaun Scott. (Brown, Rex) (Entered: 03/16/2005)
03/16/2005	●	Judge Joyce London Alexander : Electronic ORDER entered granting in part and denying in part 19 Motion to Continue as to Rashaun Scott (1). This Court has continued this case three times, two at the request of the defense counsel and one where defense counsel did not appear. TODAY, astonishingly, counsel moves that the hearing scheduled for TODAY be continued. Moreover, counsel requests that the final status conference be continued to MAY. This Court will not countenance a delay of such magnitude. Accordingly, the conference will be held on March 28, 2005, at 2:30 PM. Further, motions for continuances will result in sanctions. (Brown, Rex) (Entered: 03/16/2005)

03/16/2005	●	Set/Reset Hearings as to Rashaun Scott: FINAL Status Conference set for 3/28/2005 02:30 PM in Courtroom 24 before Magistrate Judge Joyce London Alexander. (Brown, Rex) (Entered: 03/16/2005)
03/17/2005	●20	Judge Joyce London Alexander : ORDER entered. ORDER OF DETENTION as to Rashaun Scott (Brown, Rex) (Entered: 03/17/2005)
03/23/2005	●21	MOTION to Extend Time to File Motion to Suppress as to Rashaun Scott. (Stanhope, Don) (Entered: 03/25/2005)
03/28/2005	●	Judge Joyce London Alexander : Electronic ORDER entered granting in part and denying in part 21 Motion for Extension of Time to File as to Rashaun Scott (1). All dispositive motions shall be filed on or before April 28, 2005. To that extent, the motion for a continuance is ALLOWED. (Brown, Rex) (Entered: 03/28/2005)
03/28/2005	●	Electronic Clerk's Notes for proceedings held before Judge Joyce London Alexander :Final Status Conference as to Rashaun Scott held on 3/28/2005. Order to issue. Whereas all pretrial matters referred to the Magistrate Judge by the District Judge have been resolved, the case is hereby returned to the District Judge (Tape #Digital Recording.) (Brown, Rex) (Entered: 03/28/2005)
03/28/2005	●22	Judge Joyce London Alexander : ORDER entered. REPORT AND ORDER on Final Status Conference as to Rashaun Scott. Whereas all pretrial matters referred to the Magistrate Judge by the District Judge have been resolved, the case is hereby returned to the District Judge. (Brown, Rex) (Entered: 03/28/2005)
03/28/2005	●23	Assented to MOTION for Excludable Delay from 1/27/05 to 4/28/05 as to Rashaun Scottby USA. (Richardson, Robert) (Entered: 03/28/2005)
03/29/2005	●	Judge Reginald C. Lindsay : Electronic ORDER entered granting 23 Motion to Exclude as to Rashaun Scott (1) (Hourihan, Lisa) (Entered: 03/29/2005)
03/29/2005	●	Judge Reginald C. Lindsay : Electronic ORDER entered. ORDER ON EXCLUDABLE DELAY as to Rashaun Scott Time excluded from 1/27/05 until 4/28/05. (Hourihan, Lisa) (Entered: 03/29/2005)
04/29/2005	●24	MOTION to Suppress or For Franks Hearingas to Rashaun Scott. (Hourihan, Lisa) (Entered: 05/05/2005)
04/29/2005	●25	MEMORANDUM in Support by Rashaun Scott re 24 MOTION to Suppress (Hourihan, Lisa) (Entered: 05/05/2005)
05/04/2005	●	NOTICE OF HEARING as to Rashaun Scott Pretrial Conference set for 5/19/2005 03:00 PM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 05/04/2005)
05/12/2005	●26	Assented to MOTION for Extension of Time to 5/23/05 to File File Response to Supression Motion as to Rashaun Scottby USA. (Richardson, Robert) (Entered: 05/12/2005)

05/16/2005	●	Set/Reset Hearings as to Rashaun Scott: Pretrial Conference reset for 5/19/2005 09:30 AM in Courtroom 11 before Judge Reginald C. Lindsay. (NOTE TIME CHANGE ONLY) (Hourihan, Lisa) (Entered: 05/16/2005)
05/16/2005	●	Judge Reginald C. Lindsay : Electronic ORDER entered granting <u>26</u> Motion for Extension of Time to File Response to Motion to Suppress to 5/23/05 as to Rashaun Scott (1). Status Conference will be set once the motion to suppress has been decided. (Hourihan, Lisa) (Entered: 05/16/2005)
05/23/2005	● <u>27</u>	MEMORANDUM in Opposition by USA as to Rashaun Scott re <u>24</u> MOTION to Suppress (Richardson, Robert) (Entered: 05/23/2005)
06/04/2005	●	Judge Reginald C. Lindsay : ORDER entered denying <u>24</u> Dfendant's motion to suppress or for Franks hearing. The affidavit of Detective Almeida furnishes an adequate basis for the finding of probable cause, justifying the issuance of the warrant. The affidavit indicates that the monitored telephone call of the defendant appears to have been made in anticipation of a visit of a parole officer to the defendant's home. The defendant announced to his mother that he would be speaking in "riddles," an indication that he did not want those whom he likely knew to be monitoring his call to understand what he was saying. His consistent request of his sister to remove "things" secreted under his mattress strongly suggested the presence of contraband. The inference that the defendant had hidden contraband was reinforced by a statement to his mother that he did not want the parole officer to find "the thing." His reference to "the long one" indicated a reference to an instrument of some length, like a long gun. The overheard conversation the defendant had with a fellow inmate, in which the defendant made reference to a "quick load" or "quick loader" is strongly suggestive of the fact that the "things" being discussed were firearms. The affidavit indicated that Detective Almeida had determined that the defendant had previous arrests and a conviction for offenses involving firearms, a fact that added corroboration to the conclusion that the coded conversation concerned firearms, by showing the defendant's access to firearms in the past. Finally, the defendant has not made a showing sufficient to justify a Franks hearing. (Lindsay, Reginald) (Entered: 06/04/2005)
06/06/2005	●	NOTICE OF HEARING as to Rashaun Scott Pretrial Conference set for 6/30/2005 02:30 PM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 06/06/2005)
06/29/2005	● <u>28</u>	MOTION in Limine as to Rashaun Scott by USA. (Richardson, Robert) (Entered: 06/29/2005)
06/30/2005	●	Electronic Clerk's Notes for proceedings held before Judge Reginald C. Lindsay :Pretrial Conference as to Rashaun Scott held on 6/30/2005. Trial estimate 4 days. Trial set for 10/24/05 at 9:00AM. Pretrial Order to issue(Court Reporter L. Marzelli.) (Hourihan, Lisa) (Entered: 07/11/2005)

07/11/2005	29	Judge Reginald C. Lindsay : ORDER entered. PRETRIAL ORDER as to Rashaun Scott Time excluded from 6/30/05 until 10/24/05. Jury Trial set for 10/24/2005 09:00 AM in Courtroom 11 before Judge Reginald C. Lindsay. Pretrial Conference set for 10/21/2005 03:00 PM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 07/11/2005)
07/15/2005		● Notice of correction to docket made by Court staff. Correction: Document No. 30, First motion for Extension of time deleted from case because: As counsel notified court that the document was incorrect and should not have been e-filed in this case (York, Steve) (Entered: 07/15/2005)
07/15/2005	30	MOTION for Extension of Time to August 1, 2005 to File Response/Reply to <i>Government's Motion in Limine</i> as to Rashaun Scott. (Sutter, Clifford) (Entered: 07/15/2005)
07/20/2005		● Judge Reginald C. Lindsay : Electronic ORDER entered granting 30 Motion for Extension of Time to August 1, 2005 to File Response/Reply to Government's Motion in Limine as to Rashaun Scott (Hourihan, Lisa) (Entered: 07/20/2005)
08/16/2005	31	● Opposition by Rashaun Scott re 28 MOTION in Limine (York, Steve) (Entered: 08/16/2005)
09/27/2005		● Set/Reset Hearings as to Rashaun Scott: Status Conference set for 10/4/2005 02:30 PM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 09/27/2005)
10/03/2005	32	● Ex Parte Motion as to Rashaun Scott by USA. (York, Steve) (Entered: 10/03/2005)
10/04/2005		● Judge Reginald C. Lindsay : Electronic ORDER entered granting 32 Ex Parte Motion to Seal as to Rashaun Scott by USA (York, Steve) Modified on 10/5/2005 to correct text.(York, Steve). (Entered: 10/05/2005)
10/04/2005		● Electronic Clerk's Notes for proceedings held before Judge Reginald C. Lindsay :Status Conference as to Rashaun Scott held on 10/4/2005. Court informs counsel that he is not available the week of 10/24/ 2005 due to hand surgery. Court reschedules the trial for 10/31/05. (Court Reporter D. Joyce.) (Hourihan, Lisa) (Entered: 10/05/2005)
10/05/2005		● Notice of correction to docket made by Court staff. Correction: Text was edited in docket number 32 and was corrected to read as: Electronic ORDER entered granting Ex Parte Motion to Seal as to Rashaun Scott by USA (York, Steve) (Entered: 10/05/2005)
10/05/2005	33	● SEALED MOTION as to Rashaun Scott by USA. (York, Steve) (Entered: 10/05/2005)
10/05/2005		● Judge Reginald C. Lindsay : Electronic ORDER entered denying 33 Sealed Motion as to Rashaun Scott (1) (York, Steve) (Entered: 10/05/2005)

10/05/2005	●	Set/Reset Hearings as to Rashaun Scott: Jury Trial reset for 10/31/2005 09:00 AM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 10/05/2005)
10/12/2005	●34	MOTION to Continue to 11/7/2005 to Continues his Trial as to Rashaun Scott. (York, Steve) (Entered: 10/12/2005)
10/18/2005	●	Judge Reginald C. Lindsay : ElectronicORDER entered granting 34 Motion to Continue Trial date as to Rashaun Scott (1) (Hourihan, Lisa) (Entered: 10/18/2005)
10/18/2005	●	Set/Reset Hearings as to Rashaun Scott: Jury Trial set for 11/7/2005 09:00 AM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 10/18/2005)
10/25/2005	●35	Proposed Jury Instructions by USA as to Rashaun Scott (Richardson, Robert) (Entered: 10/25/2005)
10/25/2005	●36	Proposed Jury Instructions by USA as to Rashaun Scott (Richardson, Robert) (Entered: 10/25/2005)
10/25/2005	●37	Proposed Voir Dire by USA as to Rashaun Scott (Richardson, Robert) (Entered: 10/25/2005)
10/25/2005	●38	TRIAL BRIEF by USA as to Rashaun Scott (Richardson, Robert) (Entered: 10/25/2005)
10/31/2005	●39	EXHIBIT/WITNESS LIST by USA as to Rashaun Scott (Richardson, Robert) (Entered: 10/31/2005)
11/01/2005	●40	NOTICE <i>Re: Courtroom Equipment</i> by USA as to Rashaun Scott (Richardson, Robert) (Entered: 11/01/2005)
11/02/2005	●41	Proposed Jury Instructions by Rashaun Scott (Sutter, Clifford) (Entered: 11/02/2005)
11/02/2005	●42	MOTION Motion in Limine to Exclude Expert as to Rashaun Scott. (Sutter, Clifford) (Entered: 11/02/2005)
11/02/2005	●43	MEMORANDUM in Support by Rashaun Scott re 42 MOTION Motion in Limine to Exclude Expert (Sutter, Clifford) (Entered: 11/02/2005)
11/03/2005	●44	TRANSCRIPT of Detention Hearing as to Rashaun Scott held on March 3, 2005 before Judge Alexander. Digital Recording: Transcribed by Maryann Young. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting Maryann Young at 508/384-2003 or the Clerk's Office. (Scalfani, Deborah) (Entered: 11/03/2005)
11/03/2005	●45	EXHIBIT/WITNESS LIST by Rashaun Scott (Sutter, Clifford) (Entered: 11/03/2005)
11/04/2005	●46	STIPULATION as to Previous Conviction of Less Than 12 Members by USA as to Rashaun Scott (Richardson, Robert) Modified on (to correct

		wording of the text.) 11/15/2005 (York, Steve). (Entered: 11/04/2005)
11/07/2005	●	Set/Reset Hearings as to Rashaun Scott: Jury Trial set for 11/14/2005 09:00 AM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 11/07/2005)
11/10/2005	●47	EXHIBIT/WITNESS LIST by Rashaun Scott (Sutter, Clifford) (Entered: 11/10/2005)
11/14/2005	●48	Proposed Voir Dire by Rashaun Scott (Sutter, Clifford) (Entered: 11/14/2005)
11/14/2005	●49	EXHIBIT/WITNESS LIST by Rashaun Scott (Sutter, Clifford) (Entered: 11/14/2005)
11/14/2005	●	ElectronicClerk's Notes for proceedings held before Judge Reginald C. Lindsay :Voir Dire begun on 11/14/2005 Rashaun Scott (1) on Count 1 (Court Reporter L. Marzelli.) (Hourihan, Lisa) (Entered: 11/14/2005)
11/14/2005	●	ElectronicClerk's Notes for proceedings held before Judge Reginald C. Lindsay :Jury Selection as to Rashaun Scott held on 11/14/2005. Jury empanelled. Court adjourned until 11/15/05 at 9:00AM. (Court Reporter L. Marzelli.) (Hourihan, Lisa) (Entered: 11/14/2005)
11/15/2005	●50	MOTION in Limine as to Rashaun Scott. (Sutter, Clifford) Additional attachment(s) added on 11/16/2005 (Hourihan, Lisa). (Entered: 11/15/2005)
11/15/2005	●	ElectronicClerk's Notes for proceedings held before Judge Reginald C. Lindsay :Jury Trial Day 2 as to Rashaun Scott held on 11/15/2005. Juror #10 reports to the clerk that he has a problem sitting on this case. Court inquires of Mr. Kelley. Court excuses Mr. Kelley from this jury and he is replaced with alternate #1. Jury sworn. Preliminary instructions given to the jury. Government's opening statement. Defendant's opening statement. Government's evidence begins with the examination of Edmond Desmarais; cross-examination. Examination of Gary Nevins; cross-examination; re-direct. Examination of George Almeida; cross-examination; re-direct; re-cross. Examination of Darvin Anderson; cross-examination. Examination of Douglas Weddleton; cross-examination; re-direct. Court adjourned until 11/16/05 at 9:00AM. (Court Reporter L. Marzelli.) (Hourihan, Lisa) (Entered: 11/15/2005)
11/16/2005	●51	Third MOTION in Limine as to Rashaun Scott. (Sutter, Clifford) (Entered: 11/16/2005)
11/16/2005	●	ElectronicClerk's Notes for proceedings held before Judge Reginald C. Lindsay :Jury Trial Day 3 as to Rashaun Scott held on 11/16/2005. Hearing out of the presence of the jury re: motion in limine re: prior convictions and testimony of Cassandra Scott. Government's evidence continues with the examination of Philip Ball; cross-examination; re-direct; re-corss. Government rests. Defendant moves for Judgment of Acquittal. Court reserves ruling. Defendant's evidence begins with the

		examination of Beverly Milligan; cross-examination; re-direct. Examination of Robert Howard. Examination of Richard Christopher; cross-examination. Defendant rests. Jury excused. Charge conference held. Court adjourned until 11/17/05 at 9:00AM. (Court Reporter D. Joyce.) (Hourihan, Lisa) (Entered: 11/16/2005)
11/17/2005	●	ElectronicClerk's Notes for proceedings held before Judge Reginald C. Lindsay :Jury Trial Day 4 as to Rashaun Scott held on 11/17/2005. Government's closing argument; Defendant's closing argument; Government's rebuttal. Court charges the jury. Jury retires to deliberate. Jury taken to lunch at 1:00PM. Jury returns with a guilty verdict at 3:45PM. Jury excused and exhibits returned to counsel. (Court Reporter D. Joyce.) (Hourihan, Lisa) (Entered: 11/21/2005)
11/17/2005	●	JURY VERDICT as to Rashaun Scott (1) Guilty on Count 1. (Hourihan, Lisa) (Entered: 11/21/2005)
11/21/2005	52	Judge Reginald C. Lindsay : ORDER entered. PROCEDURAL ORDER re sentencing hearing as to Rashaun Scott Sentencing set for 4/10/2006 02:00 PM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 11/21/2005)
02/27/2006	●	ELECTRONIC NOTICE OF RESCHEDULING as to Rashaun Scott Sentencing reset for 4/20/2006 03:00 PM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 02/27/2006)
04/05/2006	53	MOTION to Continue <i>Sentencing</i> as to Rashaun Scott. (Sutter, Clifford) (Entered: 04/05/2006)
04/05/2006	●	Judge Reginald C. Lindsay : Electronic ORDER entered granting 53 Motion to Continue as to Rashaun Scott (1) Sentencing reset for 9/12/2006 02:30 PM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 04/05/2006)
08/14/2006	●	ELECTRONIC NOTICE OF RESCHEDULING as to Rashaun Scott Sentencing reset for 9/5/2006 02:00 PM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 08/14/2006)
08/29/2006	54	MOTION to Continue <i>Sentencing Hearing</i> as to Rashaun Scott. (Sutter, Clifford) (Entered: 08/29/2006)
08/31/2006	●	Judge Reginald C. Lindsay : Electronic ORDER entered granting 54 Motion to Continue as to Rashaun Scott (1)(Clerk will set a new date for Sentencing) (York, Steve) (Entered: 08/31/2006)
09/05/2006	●	ELECTRONIC NOTICE OF HEARING as to Rashaun Scott Sentencing set for 12/19/2006 02:30 PM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 09/05/2006)
12/18/2006	55	MOTION to Withdraw as Attorney by C. Samuel Sutter. as to Rashaun Scott. (Sutter, Clifford) (Entered: 12/18/2006)

06/19/2007	<u>56</u>	NOTICE OF ATTORNEY APPEARANCE: Frank D. Camera appearing for Rashaun Scott (York, Steve) (Entered: 06/19/2007)
06/20/2007		NOTICE OF HEARING as to Rashaun Scott Sentencing set for 8/2/2007 11:00 AM in Courtroom 11 before Judge Reginald C. Lindsay. Any objections to the Presentence Report to be file no later than 7/11/07. Final report to be filed by 7/25/07.(Hourihan, Lisa) (Entered: 06/20/2007)
06/20/2007		Judge Reginald C. Lindsay :Electronic ORDER entered granting <u>55</u> Motion to Withdraw as Attorney. as to Rashaun Scott (1) (Hourihan, Lisa) (Entered: 06/20/2007)
06/20/2007		Attorney update in case as to Rashaun Scott. Attorney Clifford S. Sutter, Jr terminated. (Hourihan, Lisa) (Entered: 06/20/2007)
07/28/2007	<u>57</u>	MOTION to Continue <i>Sentencing</i> as to Rashaun Scott. (Camera, Frank) (Entered: 07/28/2007)
07/30/2007		Judge Reginald C. Lindsay : Electronic ORDER entered denying <u>57</u> Motion to Continue Sentencing as to Rashaun Scott (1) (Hourihan, Lisa) (Entered: 07/30/2007)
08/01/2007	<u>58</u>	SENTENCING MEMORANDUM by Rashaun Scott (Camera, Frank) (Entered: 08/01/2007)
08/02/2007		Electronic Clerk Notes for proceedings held before Judge Reginald C. Lindsay : Sentencing held on 8/2/2007 for Rashaun Scott (1), Count(s) 1. Dana Gershengorn for the Government. Frank Camera for the defendant. The Court finds the Total Offense Level to be 33 and the Criminal History Category ti ve VI. The Court orders the defendant committed to the custody of the Bureau of Prisons for a term of 235 months. Upon release, the defendant is placed on supervised release for a term of 3 years with special conditions. The Court further imposes a special assessment of \$100. (Court Reporter D. Joyce.) (Hourihan, Lisa) (Entered: 08/07/2007)
08/03/2007	<u>59</u>	*SEALED* UNEDITED STENO FILE of Sentencing as to Rashaun Scott held on August 2, 2007 before Judge Lindsay. Court Reporter: Debra M. Joyce. (Scalfani, Deborah) (Entered: 08/03/2007)
08/06/2007	<u>60</u>	NOTICE OF APPEAL by Rashaun Scott NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov/clerks/transcript.htm MUST be completed and submitted to the Court of Appeals. Appeal Record due by 8/27/2007. (Camera, Frank) (Entered: 08/06/2007)